

CITY COUNCIL MINUTES
January 5, 2015

The Honorable Council of the City of Evansville met on regular session at 5:30 p.m. on Monday, January 5, 2015 in the City Council Chambers, Room 301 Civic Center Complex, Evansville, Indiana, with President John Friend presiding. The following business was conducted.

These minutes are not intended to be a verbatim transcript. Audiotapes of this meeting are on file in the City Clerk's Office.

President Friend: The Honorable Council of the City Of Evansville is hereby called to order. Madam Clerk, please call the roll.

ROLL CALL:

Present: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Lindsey, Adams, O'Daniel, Weaver, Friend

President Friend: With nine (9) members present and zero (0) absent, I hereby declare this a quorum and that we're off and running.

PLEDGE OF ALLEGIANCE

How about Missy (Councilwoman Mosby), are you here? Ah, thank you.

President Friend: Fellow Councilmembers and everybody in the audience, welcome to the first meeting of the year of 2015, January 5th.

RECOGNITION OF SCHOOLS AND TEEN ADVISORY COMMITTEE:

Do we have any Recognition of Schools in the audience? Okay, what about Teen Advisory? I don't see anybody up here. Okay.

COUNCIL ATTORNEY

I like to thank Scott Danks; he's our City (*Council*) Attorney for tonight being here.

SERGEANT AT ARMS

Sergeant at Arms is Lieutenant Kirby. Thanks for showing up; appreciate it.

APPROVAL OF MINUTES

Okay, approval for the minutes of the December 15th meeting of the Common Council as written?

Councilman Lindsey: So moved.

President Friend: I had a motion made by Councilman Lindsey and seconded by Councilwoman Mosby. Ayes? Nays? (*Unanimous Ayes*) That goes forth.

REPORTS AND COMMUNICATIONS

IN YOUR DECEMBER 30th PACKET:

- * Resolutions C-2015-1 and C-2015-2
- * Evansville Redevelopment Commission December 2, 2014 Meeting Minutes
- * Weights and Measures November - December Monthly Report

EMAILED MATERIAL:

- * City Council Meeting Minutes from December 15, 2014
- * Memo from Mayor Winnecke concerning G-2014-30

ON YOUR DESK THIS EVENING:

- * Extended Agenda for January 5, 2015
- * Ordinance G-2015-1
- * November 2014 Financial Report

President Friend: I need a motion to receive, file, and make these reports and communications a part of tonight's...

Councilwoman Robinson: So moved.

Councilman O'Daniel: Second.

President Friend: I had a motion made by Councilwoman Robinson and seconded by Councilman O'Daniel. Ayes? Nays? (*Unanimous Ayes*) Goes forth.

NOMINATIONS AND ELECTION OF OFFICERS FOR 2015

President Friend: Yes tonight we got nomination...election of officers. Okay, I like to call for nominations of officers for 2015.

Councilmember Robinson moved to nominate Councilmember Dan Adams for President of the City Council for the year 2015. Councilmember O'Daniel seconded the motion.

President Friend: Are there any other nominations for President? If not, I need a motion to close the nominations for President.

Councilmember Robinson moved to close the nominations for President. Councilmember O'Daniel seconded the motion.

President Friend: There being no further motions for President, I call for a vote to elect Dr. Adams as our President of the City Council for the year 2015.

There being nine (9) ayes and zero (0) nays. Councilmember Adams now stands as President of the City Council for the year 2015.

Dr. Adams, I welcome you aboard to take over.

President Adams: My fellow colleagues, I'd like to thank you for your support and your vote. I will try to earn that every day for the rest of this year. I want to thank President Friend for doing a heck of a good job this past year. It's not been an easy year.

At this time I would open the nominations for Vice President.

Councilmember Robinson moved to nominate Councilmember Friend for Vice President of the City Council for the year 2015. Councilmember O'Daniel seconded the motion.

President Adams: Are there any other nominations for Vice President? If not, I need a motion to close the nominations for Vice President.

Councilmember Robinson moved to close the nominations for Vice President. Councilmember Lindsey seconded the motion.

President Adams: There being no further motions for Vice President, I call for a vote to elect Councilmember Friend as Vice President of the City Council for the year 2015.

There being nine (9) ayes and zero (0) nays, Councilmember Friend now stands as Vice President of the City Council for the year 2015.

COMMITTEE CHAIR APPOINTMENTS

President Adams: We are going to go a little slow here because frankly this is a little off...this is a little off things but we will now talk about Committee Chair appointments, if you'll pass that out here. After a lot of thought, a lot of ups and downs and sideways, our line-up is such...obviously I'm going to be the president, John Friend's going to be the vice president.

The Administration, Safety, Development Committee (A.S.D.): Ms. Stephanie Brinkerhoff-Riley.

And I decided this year instead of having certain people be each committee, since we all come and we all vote, I think we ought to get rid of the anachronism of trying to have committees because it doesn't make sense to me.

The Finance Committee will be chaired by Connor O'Daniel. I appreciate your help with that.

The Public Works Committee Chairman will be Al Lindsey.

The Finance Subcommittee Chair of Youth Sports Grants Chair: Al Lindsey.

Members: Friend, McGinn, Mosby and Robinson.

Finance Subcommittee Chair of Youth Leadership Grants Chair: Connor O'Daniel.

Members: Weaver, McGinn, Brinkerhoff-Riley, Adams.

President Adams: You'll find on the second page of my handout the existing liaisons. I think everybody's done a very good job in the past year as liaison to various City departments and so basically they're exactly the same.

We are going to approve now the City Council meeting times for the year of 2015 and the dates are obviously right there. This year we're not saying every Monday because the Courier & Press every other Monday said we weren't meeting and it looked like we were taking two days...two meetings off a month so now we will accurately do that.

CITY COUNCIL MEETING TIMES FOR THE YEAR 2015

January 5 th	July 13 th
January 26 th	July 27 th
February 9 th	August 10 th
February 23 rd	August 24 th
March 9 th	September 14 th
March 30 th	September 28 th
April 13 th	October 12 th
April 27 th	October 26 th
May 11 th	November 9 th
May 18 th	November 16 th
June 8 th	December 7 th
June 22 nd	December 14 th

President Adams: I would need a motion to approve and set the meeting times for the year 2015 for the above dates at 5:30 p.m.

Councilmember Friend moved and Councilmember Weaver seconded the motion to meet at 5:30 p.m. on the above mentioned dates for 2015. All those in favor? All those opposed? *(Unanimous Ayes)* So be it.

CONSENT AGENDA

FIRST READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION C-2015-1

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville, Indiana Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for the Construction of Real Property and the Acquisition and Installation of New Equipment - Sigma Packaging, LLC (3001 Maxx Road and 2000 Lynch Road)

RESOLUTION C-2015-2

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville, Indiana in Support of Economic Development Incentives Offered to Sigma Packaging LLC by the City of Evansville to Expand Operations at 3001 Maxx Road and 2000 Lynch Road

ORDINANCE R-2014-29

APC

R-1 to C-1

An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 4301 Broadway

Petitioner: New Bethel Southern Baptist Church, Inc.

Owners: Same

Representative: Bret Sermersheim

District: Al Lindsey, Ward 6

Councilman Friend: Motion to adopt the Consent Agenda as written?

Councilman Weaver: So moved.

Councilwoman Mosby: Second.

President Adams: Is he *(Inaudible)*. Could I...

Councilman Friend: Oh I'm sorry. I'm still trying to get out of it.

President Adams: I'm sorry to interrupt John.

Councilman Friend: Yeah, yeah, yeah; sorry about that.

President Adams: Would somebody pull his plug? Anyway...

Is there a motion to adopt the Consent Agenda as written?

Councilwoman Mosby: Second.

President Adams: Councilman Weaver made the motion to accept the Consent Agenda as written and it was seconded by Councilwoman Mosby. All those in favor? Opposed? *(Unanimous Ayes)* So voted.

CONSENT AGENDA

SECOND READING OF ZONING ORDINANCES

No Zoning Ordinances for Second Reading.

REGULAR AGENDA

THIRD READING OF ZONING ORDINANCES

No Zoning Ordinances for Third Reading.

CONSENT AGENDA

SECOND READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION C-2014-41

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for the Acquisition and Installation of New Equipment - Fisher & Company (2301 Saint George Road, Evansville, Indiana 47711)

RESOLUTION C-2014-42

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville In Support of Economic Development Incentives Offered to Fisher & Company by the City of Evansville to Expand Operations in the Facility at 2301 Saint George Road, Evansville, Indiana 47711

COMMITTEE REPORTS:

FINANCE COMMITTEE:

CHAIRMAN CONOR O'DANIEL

Chairman O'Daniel: Mister President, your Finance Committee met this evening to hear ***Resolutions C-2014-41 and C-2014-42*** and both come forward with do-pass recommendations.

President Adams: Is there a motion to adopt the Committee Reports?

Councilman Friend: So moved.

Councilwoman Mosby: Second.

President Adams: With a second and a motion, all those in favor? Opposed? *(Unanimous Ayes)* Great.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION C-2014-41

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for the Acquisition and Installation of New Equipment - (Fisher & Company 2301 Saint George Road, Evansville, Indiana 47711)

President Adams: Is there a motion to adopt C-2014-41?

Councilman Weaver: So moved.

Councilman O'Daniel: Second.

President Adams: With a motion and a second, roll call vote please.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, Lindsey, O'Daniel, Weaver, Adams

President Adams: With nine (9) ayes and zero (0) nays, Resolution C-2014-41 is hereby declared adopted.

REGULAR AGENDA

THIRD READING OF ORDINANCES AND RESOLUTIONS

RESOLUTION C-2014-42

FINANCE

O'DANIEL

A Resolution of the Common Council of the City of Evansville In Support of Economic Development Incentives Offered to Fisher & Company by the City of Evansville to Expand Operations in the Facility at 2301 Saint George Road, Evansville, Indiana 47711

President Adams: Is there a motion to adopt Resolution C-2014-42?

Councilwoman Mosby: So moved.

Councilman O'Daniel: I'll second that then.

President Adams: With a motion and a second; please roll call vote.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Robinson, Friend, Lindsey, O'Daniel, Weaver, Adams

President Adams: There being nine (9) ayes and zero (0) nays, Resolution C-2014-42 is declared adopted.

MISCELLANEOUS BUSINESS

There will not be a meeting on January 12th nor on January 19, 2015. The next meeting of the Common Council will be Monday, January 26, 2015 at 5:30 p.m. The Committee Meetings, at this juncture, will begin at 5:20 p.m.

We're lucky to have tonight a...I think what's going to be a really good presentation by Chief Connelly on the Fire Department's annual physicals presentation. Chief, would you want to join us? This was a really spirited negotiation and I think we've got an excellent product.

EFD Chief Connelly: Fire Chief Mike Connelly here to make a presentation, summarizing the 2015 physicals for the Evansville Fire Department.

Deaconess Hospital will provide the physicals for the Fire Department in 2015 in accordance with industry consensus standard from the National Fire Protection Association, the number 1582 standard on comprehensive medical program for fire departments. And I brought with me a subject matter expert, Terry Swartz, from Deaconess Hospital to go through the slide show with you.

Swartz of Deaconess COMP Center: Good evening. We're going to do the annual firefighter physicals this year in three stages. This is a little bit of change from the way they've been done in the past but initially we're going to have what we call a Lab Day where the Deaconess COMP Center staff will actually go around to each fire department and collect blood and urine specimens, send 'em off to the lab, and we'll have those results waiting when they actually go through their physical then.

Okay, the second phase will be the physical examination and fitness testing and that will be done on the Deaconess campus at the Deaconess Physicians Center. The clinic space does have four exam rooms in there so what this does is it gives us a lot of privacy. You may not know but in the past these physicals were done at the Administration Building of the Fire Department. It was done in the back of the building; basically warehouse space. We would have stations set up for all the different testing and there was not a lot of privacy in there. And from the privacy issue, we were looking at two things. We were looking at just the embarrassment from some of the testing going on and then secondly is the health information that is protected, that is private, so this is going to give us a lot better setting than doing it at the Administration Building.

Okay, on the physical day there's going to be basically two different components. There's going to be the actual medical exam and I've got everything list on there, the components that'll be done. There's also fitness testing that will be done on the firefighters and this all meets the NFPA 1582 guidelines on what should be tested on an annual physical.

Again, the picture of the Deaconess Physician Center. Again, that's just to emphasize that this is being done in a better clinical setting than what was done in the past.

Okay, the third phase is going to be a resting EKG and a treadmill EKG. These will be done in the Deaconess Hospital in the Non-Invasive Cardiology Department. This is where we do cardiology testing every day of the week so it's being done by the proper people. The other factor of this it will be monitored by a cardiologist and this is a sub-max treadmill test so we're not getting the heart-rate up all the way to their maximum but it's 85%. Things can go wrong on this so, I mean, we're talking about healthy firefighters; we certainly don't anticipate anything going wrong but if it does we're in the right setting with the cardiologist and the emergency response team if necessary. Again, the patients will have a lot more privacy than what they've had in the past.

Okay, and again, just a picture of the hospital to show if something goes wrongs you want it done there instead of the Administration Building.

Okay, the last slide here is the pricing we came up with and as you mentioned there was some good negotiations going on in this part. Shown at the top is our original bid that Deaconess COMP Center submitted. It was for \$161,000 and that met the original specs that the fire chief had put out. The second section there, grouped together, is the pricing that was finalized between negotiations of the City Council and the Fire Department. The total comes out to \$135,000 compared to the original of \$161,000 so there was a savings of \$25,000. What we did do...eliminate to get down to that number is that we eliminated a chest X-ray, which is not called for in the NFPA standards. And the other thing we did was for firefighters under the age of 35, we agreed to not do an EKG, treadmill EKG, on those people so the pricing submitted was to include an aerobic test on a treadmill but to include the EKG. So you've got a price for the firefighters, age 35 and older; a price for the firefighters under the age of 35.

Okay, so that is the final pricing submitted. Now actually what Deaconess decided to do for logistical reasons: We are going to do a treadmill EKG on all firefighters, regardless of the age, however, we are going to agree to stick to the pricing as we agreed to so we're throwing in a little bonus there for you.

The additional things listed under Miscellaneous, those are things like new applicant physicals and some other testing that might be done so we've got some guestimates on the number on those but the bottom number there, the \$147,000, that is what I think is what the City Council had budgeted.

So are there any questions on that?

President Adams: Well number one, this has been a really active negotiation. I want to thank Deaconess Hospital. Chief, you've done a great job. Larry Zuber was really good in working this out. This started around \$250,000, originally, and with just some open...asking for rebids, everybody came down to around \$225,000, \$213,000. Deaconess came in at \$161,000 and even with further negotiations, was kind enough to come down to this number, about \$148,000, which is about \$102,000 savings.

What you guys don't know is in this...in that CT, low-dose CT scan, what they've decided to do, still under the budget, is add CT scan for all those firefighters that are smokers over 55 and this is an early warning detection of early cancer, which is one of the amazing things that has been shown to actually be curative. If you can actually get the lesion, I think it's under what, 9mm or less than a centimeter, without symptoms, obviously, you can really save people's lives this way. So this was something even above what we were asking initially and I really want to thank you sir for doing that and I thank, again, the Chief and union president Zuber for doing a great job.

Swartz of Deaconess COMP Center: And just a little bit more information on that, it's for people aged 55 and older who are 30 pack years so if you smoke 15 years, two packs a day, that would be the 30 pack years.

President Adams: Yeah.

Swartz of Deaconess COMP Center: So it's targeted to just a few individuals. That is an estimate based on how many firefighters we expect that may qualify.

President Adams: To fall in that category.

Swartz of Deaconess COMP Center: Yes.

President Adams: Yeah. Okay, any other questions? Super. Thank you all.

EFD Chief Connelly: Thank you.

President Adams: Okay, now we're going to get into these Board and Commission Appointments. One of the things I'd like to do this year, and I think I've talked to everybody, and if I haven't I'll reiterate it, when we have these appointments I'd love all of you to give me a...just email me a thumbnail résumé of the individual that you're putting forth to be on the board so then I will share that with everybody so that we all know these people very well. If there is more than one candidate for a position, we'll obviously have two résumés and you guys can decide which one we're going to do and so forth like that. I'd like to get this all done by the next time that we can so we can vote on it.

The problem we have tonight is that there's an ERC meeting tomorrow and therefore we can't really wait two weeks so I am going to take the hit, if you will, the responsibility for opening tonight of the two slots that are open on the ERC for 2015 and I'll entertain a nomination for the first slot.

Councilman Weaver: Mr. President, I'd like to nominate Jerome Stewart.

President Adams: Is there a second?

Councilwoman Mosby: Second.

President Adams: Okay, are there any other nominations?

Councilwoman Brinkerhoff-Riley: Mr. President, I would nominate Stan Wheeler.

President Adams: I think that's another slot. This is the open slot.

Councilman O'Daniel: Do we to have two?

President Adams: We're doing one after the other.

Councilman O'Daniel: Okay.

Councilwoman Robinson: *(Off Mic)* But she can *(Inaudible)*.

President Adams: We got one slot. We've had a...we have one slot...we have two slots available. Mr. Wheeler will be the second slot. This is the first slot. We have a nomination for Jerome Stewart. Is there another nomination?

Councilwoman Brinkerhoff-Riley: Yeah, I'll nominate Cheryl Musgrave.

President Adams: Is there a second?

Councilman Lindsey: I'll second it.

President Adams: Who's second? Okay, any discussion.

Councilman O'Daniel: *(Off Mic)* I would ask *(Inaudible)*. *(Mic On)* I don't want to finagle this or anything like that but it does seem that we have two appointments and the...Mr. Wheeler, his appointment is up. I don't know that there's any set, I guess criteria, that this is his position or otherwise. Should we take, as a practical matter, take all nominations and then vote for the top two?

President Adams: Certainly, we can do that.

Councilwoman Brinkerhoff-Riley: Yeah, that's what I thought we were doing. We just...

President Adams: I apologize.

Councilwoman Brinkerhoff-Riley: I didn't...

President Adams: Excuse me. Time out. Yeah, no, no. That makes eminent sense, yeah, okay.

Councilwoman Brinkerhoff-Riley: Well then, Mr. President, I would...

President Adams: We're doing...we're doing...we're opening the nominations to two slots, twenty people. Let's throw it out there.

Councilwoman Brinkerhoff-Riley: I would nominate Stan Wheeler.

President Adams: What?

Councilwoman Brinkerhoff-Riley: I'll nominate Stan Wheeler.

Speaking Simultaneously

Councilman Friend: I'll second that nomination.

President Adams: Okay.

Councilman Friend: I'll second that nomination.

Speaking Simultaneously

President Adams: And is there a second?

Okay, so is there any further nominations? Okay, right?

Councilman O'Daniel: I'll move to close the nominations then, or...I'm sorry. Go ahead.

Councilwoman Robinson: Mr. President, I have in front of me a résumé for Cheryl Musgrave. I don't have a résumé for the other nominees.

President Adams: Well I don't...since I just announced it, I don't think it's fair for me to...

Councilwoman Robinson: Are they in the audience tonight?

Councilman O'Daniel: *(Off Mic)* I see Stan.

Councilwoman Robinson: Okay, Mr. Stewart, is he in? And Cheryl, okay. And Jerome Stewart, is he here?

President Adams: I still think, to be fair, since I just announced the necessary résumé, as much I agree with you, it'd be nice to have a résumé, I think, to be fair, if we have a nomination from the floor that we should have a serial vote by which we go the first, second, and third nomination, and we'll do that, I think, by roll call because I don't want to get the numbers mixed up.

Councilwoman Brinkerhoff-Riley: Do we want to give them an op...because do we want to give Stan and opportunity to say something since he doesn't have a résumé up here or...

City Council Attorney Danks: *(Off Mic)* I think the Councilmen can speak to the people *(Inaudible)*.

Councilwoman Brinkerhoff-Riley: Okay, all right.

President Adams: Yeah.

Councilman O'Daniel: If you want to say something.

Councilman Friend: Yeah, yeah.

ERC Member Wheeler: I've been on the ERC for the last two years and I filed a résumé the last two years and didn't think it was necessary this year.

President Adams: I didn't think so either, frankly.

Councilman O'Daniel: Very well, thank you.

Councilwoman Mosby: May I also add, Stan has pretty much attended every meeting and he is at City Council meetings here so if we ever have any issues or problems he's very easy to contact.

Councilman Weaver: I talked to...

President Adams: Well, I'm going to be pretty aggressive on that. I put myself on as liaison to the ERC, yeah.

Ms. Musgrave, would you like to make any comment?

ERC Nominee Musgrave: Thank you. I did give you my résumé and I hope that you've had a chance to look over that. I'm honored to be nominated and have had several discussions with several of you and I understand that you're very interested in improved communications. I have a strong track-record of transparency and transparency initiatives that served the community very well so that would be my goal: to increase your communication and your knowledge and your participation in the activities of the ERC.

President Adams: Okay, we have three nominations for two slots. The first one...excuse me.

Councilman Weaver: I just wanted to say I talked to Jerome this morning and that's when he showed interest.

President Adams: Great, okay. I think we should vote on them in the order which the nominations were put forth and therefore why don't we have a roll call vote for Jerome Stewart.

Councilwoman Robinson: Jerome Stewart...I have a question for Councilman Weaver. Jerome Stewart is also a member of the Parks Board. Is he going to stay on the Parks Board?

Councilman Weaver: He's willing to serve on both.

Councilwoman Robinson: Okay, there's a lot of talent out there and I think we need to spread it among everyone.

Chief of Staff Schaefer: Just as a point of clarification, the Administration is more than willing to replace Mr. Stewart on the Parks Board if you appoint him to the ERC.

President Adams: Okay, does anybody else want to throw anything out (*Inaudible*) at this point.

Councilman O'Daniel: And I guess, just for a second, he's a Mayor's appointment to the Parks Board, correct?

Chief of Staff Schaefer: (*Off Mic*) Yes.

Councilwoman Robinson: So he can also be the Mayor's appointment to the ERC.

Chief of Staff Schaefer: *(Off Mic)* Could be but that wasn't my point. Council made that recommendation.

President Adams: But he could be, couldn't he?

Chief of Staff Schaefer: *(Off Mic)* Could be.

President Adams: Yeah, and that would be...yeah.

Councilwoman Robinson: *(Off Mic)* But you have three appointments and we only have two.

Chief of Staff Schaefer: *(Off Mic)* We just made...we just made ours today, so...

Councilwoman Robinson: *(Off Mic)* I think...who's your appointment?

Chief of Staff Schaefer: *(Off Mic)* Mike Schopmeyer.

Councilwoman Robinson: *(Off Mic)* Okay.

Chief of Staff Schaefer: *(Off Mic)* He got sworn in a little bit ago.

Councilwoman Brinkerhoff-Riley: Did Randy Alsman...is he staying on?

Chief of Staff Schaefer: *(Off Mic)* Yes.

Councilwoman Brinkerhoff-Riley: Okay.

President Adams: Okay, we're going to vote on the first candidate *now*. Jerome Stewart; roll call vote please.

Comments made prior to casting their respective votes:

Councilman McGinn: I have...first of all, I'm a little confused. Obviously, some of you have met...I've never seen a...we have two slots, that's fine. But I mean there's no question in my mind after Councilwoman Robinson and I spoke last year after Pat Lowery's nomination, in fact I thought we were filling her slot. I mean I have no hesitation whatsoever. I believe truly, as you told me, we need an African American on the board so yeah. And I've worked with Jerome. Jerome's very, very good and I have no hesitancy whatsoever to say aye *(Inaudible)*.

Councilman O'Daniel: I will say it this way. I very much respect Jerome. He does a fine job on the Parks Board, but given the other two nominees, I don't believe that it'd be proper for him to be on this...serve as our representative on this body so...on the ERC so for that reason I vote no.

ROLL CALL:

Ayes: McGinn, Mosby, Weaver

Nays: Brinkerhoff-Riley, Robinson, Friend, Lindsey, O'Daniel, Adams

President Adams: That's three (3) ayes and six (6) nos.

The next person, please, which would be Stan Wheeler. Roll call vote please.

Comments made prior to casting their respective votes:

Councilman McGinn: Stan's done a good job. Certainly yes. Aye.

Councilwoman Mosby: Stan's done a wonderful job. Aye.

ROLL CALL:

Ayes: McGinn, Mosby, Brinkerhoff-Riley, Friend, Lindsey, O'Daniel, Weaver, Adams

Nays: Robinson

President Adams: I think that's one (1) nay and eight (8) ayes.

And now our third candidate, Ms. Musgrave.

Comments made prior to casting their respective votes:

Councilman McGinn: Kind of a no-brainer. There we have one slot and one nominee. Aye.

President Adams: Use your brain anyway.

Councilman O'Daniel: Actually, this is a very interesting discussion. I talked with her last week and it kind of came out of nowhere really and...but she has a wealth of information and knowledge in public finance; worked for the State and a former governor and has participated in many organizations and boards here in this town and I think we're going out and trying to get the best people to fill these particular boards irrespective of party and so for that reason I vote aye.

President Adams: I vote aye but Dan, did you write aye or no? I couldn't hear you.

Councilman Friend: Yeah, aye.

Councilman McGinn: I voted aye.

ROLL CALL:

Ayes: McGinn, Brinkerhoff-Riley, Robinson, Friend, Lindsey, O'Daniel, Adams

Nays: Mosby, Weaver

President Adams: Okay so there are seven (7) ayes and two (2) nos. The two slots will be filled with Ms. Musgrave and Mr. Wheeler.

Okay. I'm sorry; I was reading your non-verbals. I apologize.

Okay, again please, if you have people that are interested and qualified, love to get their résumés. I'll make a sheet up for you so that you know who's going to be looking. I'll send the résumés to you so that you'll be well informed, well educated, by the time we come back here three weeks from now. So, okay...

Councilman O'Daniel: *(Off Mic)* You want bring that *(Inaudible)*?

President Adams: I'm sorry?

City Clerk Windhorst: Just to let you know, there is a meeting for the Zoo Board tomorrow. Councilman McGinn is up for reappointment and there is a vote *(Inaudible)*.

Speaking Simultaneously

Councilman McGinn: Yeah, if we could...if we could discuss that. I could give you a résumé but most of you guys know way too about me as it is.

President Adams: All those in favor of Dan McGinn staying on the Zoo Board say aye. All those opposed? No. No, I vote aye. That's nine (9) - zip.

City Clerk Windhorst: And also the City of Evansville Endowment Fund; it's just strictly by your position.

Councilman O'Daniel: *(Off Mic)* It's by position, so...

City Clerk Windhorst: Uh-hum.

Councilman O'Daniel: *(Off Mic)* That's you *(President Adams)* and I and Dan *(Councilman McGinn)* so...

President Adams: Yeah. You're going to have to talk a little slower and a little louder.

City Clerk Windhorst: Okay.

President Adams: I took a lacrosse stick in my left side of my head when I was 18 and so I'm stone deaf on the left side of my head.

Okay, any other Miscellaneous Business? This is the time when you can come up and talk about your dead cat or anything else that...

Unidentified Speaker: *(Off Mic) (Inaudible)*.

President Adams: You haven't got any tonight?

Councilman O'Daniel: Doc?

President Adams: Yeah.

Councilman O'Daniel: You know, obviously, we got this information this afternoon, a memo from Mayor Winnecke and Corporate Counsel about the residency ordinance that was passed last month and it appears that, although I think he indicated early that he was going to abide and follow whatever vote would come down from Council, that he has acted not to sign that and so because of that it acts a veto and I think...I don't...obviously, I have not read this and I'll defer to our counsel, Danks, on how we should proceed; whether we should do it tonight or at the next meeting.

City Council Attorney Danks: If I may, I want to ask that this be addressed at the next Council meeting. I'm not certain why there was a legal opinion that was prepared by Corporate Counsel, apparently on December 29. I received it when I walked into chambers this evening. I've not had a chance to look at it. It is my understanding that the Mayor has vetoed the ordinance by way of not acting upon it but I'd like to have a chance to look at Corporate Counsel's Memorandum of Law and then I'll give the Council my opinion of that and then explain what the Council's options are at the next meeting, which would be...

President Adams: The 29th.

City Council Attorney Danks:...to let it...on the 28th.

President Adams: Uh-huh.

City Council Attorney Danks:...to either let it die, *(Inaudible)* veto, or to override the veto, which I believe will require six votes, which is what the Council had when it originally passed the ordinance so...

Councilman O'Daniel: So procedurally then, should we just put this on as, instead of First, Second, or Third Reading, some sort of...whether it be veto or action on that ordinance within the normal course of the meeting.

City Council Attorney Danks: Yeah, I think just action on the mayor's veto on the ordinance, we do not need to have a Second and...a First, Second, and Third Reading.

Councilman O'Daniel: Right, okay.

President Adams: Au contraire.

Marco DeLucio of ZSW&S: Marco DeLucio from the Corporate Counsel's office. We just want to go on the record. I think as we read the ordinance, or the state statute with respect to the veto probably requires the Council to act at its next meeting after it's been vetoed. Otherwise you have to start from square-one we felt. I feel like we need to let you all know that this evening.

President Adams: Say that again, sir.

City Council Attorney Danks: If I might inquire...

President Adams: Sure.

City Council Attorney Danks: Now if I understand correctly then you're saying the Council needs to act tonight or we need to file a new ordinance.

Marco DeLucio of ZSW&S: That...

City Council Attorney Danks: My question is this Memorandum of Law was prepared on December 29th, six days ago. I just received it when I walked into the chambers this evening.

President Adams: And I...

City Council Attorney Danks: Is there any reason why that was not shared with me or members of the Council so we could study the issue and make a decision tonight?

Marco DeLucio of ZSW&S: I think the only thing I can tell you is just the press of business and the holidays. The City was closed on the 30th and the 31st and I, you know, I'm not sure...

City Council Attorney Danks: You had time to prepare the memo.

Marco DeLucio of ZSW&S: We prepared the memo.

City Council Attorney Danks: You did not have time to email it to me?

Marco DeLucio of ZSW&S: We prepared the memo and submitted it to the Mayor. We didn't know what the Mayor was going to do with it.

City Council Attorney Danks: The idea, or the impression that I get, there was a lot of discussion about giving the Administration additional time to implement the ordinance. That request was denied and it, to me, it frankly it seems like an intentional delay of the ordinance.

I'm not prepared to advise the Council because I was not aware of the action or inaction. I certainly was not aware of this Memorandum of Law. And now you're appearing tonight, saying, "Well, you really need to act tonight", which you know that we're not prepared to do, or it needs to start over. So we are talking about another thirty-day process.

Marco DeLucio of ZSW&S: I'm not sug...Mr. Danks, I'm not suggesting that you have to act. I felt like I needed to at least let you know. As I read...

City Council Attorney Danks: I appreciate it that part. I would have appreciated it much more getting this memorandum about six days ago, or Saturday, or Sunday. Anytime, even this morning, would have been very beneficial.

Marco DeLucio of ZSW&S: Thank you.

President Adams: I happened to pick it up at 15 minutes before I came down here. It's legalese. I don't understand it and from my point of view I think we should vote on it. Whatever we're going to do, we need to do it on the 29th.

City Council Attorney Danks: *(Off Mic)* If I may.

President Adams: Yeah, please.

Councilman O'Daniel: Yeah, I mean I'm...

City Council Attorney Danks: Why did that information, again, if it's being expressed for the first time, I did get a chance to glance at this memorandum and my initial opinion is that they are incorrect, that the ordinance is legal. I do think it'll pass muster

in the courts, so in light of the discussion that we've just had, I'm going to ask that the Council entertain at this time whether it wants to override the veto.

Councilman O'Daniel: Well, I may ask Mr. DeLucio, do you have a site as to where Council must act at its next meeting?

Marco DeLucio of ZSW&S: Sure, one second.

President Adams: Well it's kind of...it's kind of hanky-panky if you don't out until 15 minutes before the meeting that you're supposed to go ahead and make a judgment call on this. I mean that's kind of...

City Council Attorney Danks: Can I inquire...

President Adams: That's kind of unfair ball here guys.

City Council Attorney Danks: *(Inaudible)*...the Clerk's Office. When was the Clerk's Office first informed that the Mayor was not going to sign the ordinance?

City Clerk Windhorst: I sent that out as soon as Mr. Schaefer brought it to my office this afternoon.

City Council Attorney Danks: Three o'clock today?

City Clerk Windhorst: Uh-hum.

City Council Attorney Danks: And I... *(Inaudible)* I think this is the first ordinance that the Mayor has not signed.

City Clerk Windhorst: That is correct.

City Council Attorney Danks: And so we don't...I don't receive copies once they're signed. We operate under the presumption that they have been signed unless notified otherwise so we show up tonight and find out that it was, in fact, not signed.

Laura, do you know *(Inaudible)*

Speaking Simultaneously

Councilman O'Daniel: I don't see that within your memorandum so...

President Adams: I don't know.

Marco DeLucio of ZSW&S: Councilman O'Daniel, the site is 36-4-16.6.

Councilman O'Daniel: What's that, State? Just...I mean...

Marco DeLucio of ZSW&S: Thirty-six and if you...I'm happy to read it if you'd like. I mean it's pretty short. It just says, "Whenever an ordinance, order, resolution is vetoed by the City Executive, it is considered defeated unless the legislative body, at its first regular or special meeting after the 10-day period prescribed by Sub-Section A passes, the ordinance, order, or resolution over a veto by 2/3 vote". So, I mean, I just...I wasn't trying to be confrontational. I was simply letting you know that that was there because I didn't want you to simply walk away tonight and think that you would have...in my opinion, I don't think you can do that at the next meeting.

Councilman O'Daniel: And I appreciate...

Marco DeLucio of ZSW&S: That's my opinion.

Councilman O'Daniel: I appreciate that information but...

City Council Attorney Danks: Appreciate that information. The delay in getting the memo and the notification of the veto is not appreciated, at least by myself. I would ask *(Inaudible)*...

Councilman O'Daniel: Well with that, with that I think we ought to move forward.

Councilwoman Robinson: I make a motion to...

Councilman McGinn: Override the veto.

Councilwoman Robinson:...override the veto.

Councilman O'Daniel: Second.

We'll need a roll call.

President Adams: *(Off Mic)* Further discussion...this doesn't exactly bode well in terms of relationships between the executive and legislative body.

Further discussion? Any other discussion from our peers in the audience?

Councilwoman Robinson: I do have something to say. I'm very disappointed in this. I think all along we've been in commun...at least some of us have been in communication with the Mayor on this. He asked us to del...not for it to go into effect immediately and

then we get this at 3:00 in the afternoon and this happened December...the memo happened December 29th.

I know ever since I've been on Council I've been trying to have a working relationship with the Mayor and I thought we had a good working relationship. However, I think that he should have informed us...from the 29th to the 5th and we didn't know anything about this. Yes I am. I'm disappointed.

Councilman O'Daniel: Well, and the other thing is I think picking up a little bit Mr. Danks has indicated that it was my recollection that after we passed this ordinance, which you know, obviously reasonable minds can differ on whether we should or shouldn't have but it was passed by a 6 - 3 vote. It seems to me that the Mayor had indicated that he would go along with whatever Council would do and sign that and then it was not an expressed veto but it was by inaction and so the 10-days passed and we weren't notified and I...it feels like a fast one was pulled, okay.

Marco DeLucio of ZSW&S: I don't think so. I think the Mayor indicated that the ordinance that we saw that was in effect when came to the meeting on the 15th said one thing and at the meeting, at the very end of the meeting it was amended and I think I stepped up at that time and told you I felt that that violated, that change, violated the Home Rule Act and after that we did some research, we worked, we conferred with the Mayor and we provided that memo to him. So, you know, as it was originally enact...as it was originally presented to the Mayor and as we came to the 15th, we weren't prepared to do anything and I think the Mayor was and truly believed that he was going follow with what the City passed at that...the City Council passed at that time. But the amendment that was made, we thought through that in violation of state law. The Mayor has an obligation to uphold state law and that's all he's trying to do here.

Councilwoman Robinson: And I agree with him; he has an obligation to uphold the state law, but what happened to picking up the phone and calling us? We had plenty of telephone calls during the negotiation with the hotel. Why not pick up the phone and call us and tell us, "Hey, you're going to be in violation"?

Marco DeLucio of ZSW&S: I think we told you that on the 15th and nobody wanted to listen to us at that time.

City Council Attorney Danks: Well if I may, I don't know that nobody wanted to listen to you. It's just that it had already passed. The vote had been taken and I appreciated the information but what I was trying to point out to you is, and to members of the Council, the amendment was simply...it did state, "...unless otherwise provided by statute", which I interpret to mean *unless contrary to*, but it was brought to my attention that the Administration, through Corporate Council, was going to interpret the language

of the ordinance so that in effect it would not have the intended consequence and essentially they were going to say, "Well, we are already in compliance, so long as we're in compliance with state law". So I just wanted to clarify that by stating what my intent was, which was, "...*unless expressly prohibited by statute*". Now you and I disagree...

Marco DeLucio of ZSW&S: *(Inaudible)*

City Council Attorney Danks: Yeah, but that was the purpose of the amendment to give the ordinance the affect that this Council thought that it would have; not the Administration's interpretation of the ordinance, which would essentially mean, "We don't have to do anything..."

Marco DeLucio of ZSW&S: No, I...

City Council Attorney Danks:...but this ordinance has no impact so we'll go ahead and agree to do it". So that was the purpose of the amendment. Your comments concerning the amendment came after the vote, after the thing had passed.

Marco DeLucio of ZSW&S: I think it came...I think it did come right before the vote 'cause it was about...

City Council Attorney Danks: No, it did not. No, it did not. They came after the vote.

President Adams: *(Off Mic) (Inaudible)* We had already voted on that before you jumped up and made your comment.

City Council Attorney Danks: But that was the purpose of the amendment so that the Administration would have to follow the ordinance and now we're told that the Administration doesn't want to by way of veto and that's fine. If the Council wants this ordinance to pass it'll have to be passed by a...

Marco DeLucio of ZSW&S: And I think you saw...

City Council Attorney Danks:...6 – 9 vote and I think that there's been a motion and second to override the Mayor's veto and I think you'll need a roll call vote.

Marco DeLucio of ZSW&S: I think that...I really think that the Mayor indicated that really what we're talking about here are the 10 boards that were...boards or commissions that were created by state law. That's all we're talking about. The Mayor is going to follow the spirit of the ordinance as it was enacted with all the other boards and appoint City residents to those. It's with respect to those 10 boards that were

originally identified by Mr. Ziemer's memo early in December that we...that we have some concerns with.

City Council Attorney Danks: And you say only 10 boards?

Marco DeLucio of ZSW&S: Yes.

City Council Attorney Danks: And do you know off the top of your head what those boards...

Marco DeLucio of ZSW&S: Sure.

City Council Attorney Danks: I think those are some very...

Marco DeLucio of ZSW&S: Well I'd have a hard time remembering but I've got it right here.

City Council Attorney Danks: I don't have *(Inaudible)* from the memo.

Marco DeLucio of ZSW&S: Sure. It's the Alcohol Beverage Board, Area Plan Commission, Board of Zoning Appeals, Building Authority Trustees, Evansville Housing Board of Commissioners, Evansville Convention and Visitors Bureau, Evansville Local Public Improvement Bond Bank Board of Directors, Evansville/Vanderburgh Airport Authority District, Water & Sewer Utility Board, and the Vanderburgh County Board of Health.

City Council Attorney Danks: So if I understand correctly, it is the Mayor's position that just on those boards he does not want to be limited to appointing residents of this city to those boards.

Marco DeLucio of ZSW&S: He believes that the ordinance, as passed, would violate those 10 boards and I can't sit here and tell you that he's not going to appoint City residents to those boards or others but he does...he feels that the ordinance, as passed and as written, would violate state statute with respect to those 10 boards and in his memo he indicated, and I believe Mr. Schaefer's here this evening too, that the appointments that are going to be made for the other boards will all be City residents and that's not to say there won't be City residents on some of those 10 boards that I just mentioned.

President Adams: *(Off Mic)* Well if we don't act on this vote, you know, the Mayor can't next month decide that he does want the *(Inaudible)* around this thing *(Mic On)* and next Mayor, I guess, could do whatever he wants with his appointments too so

either we, I think, we either adhere to the...what we were trying to do to give representation to our constituents or we don't and I think that's why we're going to vote tonight, which I don't want to do. I think this...I'd much rather have time to...I've said many times that there is no emergency in politics but unfortunately I think tonight, by virtue of the box the Administration has put us in, I think we have to.

Councilman O'Daniel: I agree. I...though I haven't seen the statute, I trust what Mr. DeLucio says as regards to that and brings it to our attention tonight. I don't think he has any interest in seeing that necessarily but I do think that we better act or live with the consequences of that.

President Adams: Right.

Councilman O'Daniel: So, with that, there's been a first and a second. I'd...

President Adams: *(Off Mic)* Any other discussion?

Councilwoman Brinkerhoff-Riley: I'll be very brief. I want to make two points. I think it's an example when you're agreeing to replace 45 out of 58 members, you're pushing in 80% compliance rate. I think it's an example of picking and choosing. I think it's also bad policy on the part of the Administration. The Home Rule statute says essentially that if the state legislature doesn't specifically carve out a power that the local government has it and as a policy matter, why would local government reject power? It just doesn't make any sense to me and I frankly intend to vote to carry the ordinance forward.

I do think it's unfortunate though that we aren't given more time to review it but I feel pretty confident in the City Council attorney.

President Adams: One more call for comment.

Councilman McGinn: Yeah, I have one. I mean obviously I'm not going to vote to override the veto. I was not in favor of this for those reasons. But just the fact that we haven't given Scott enough time to review this, I mean, doesn't that frighten anybody?

Councilwoman Mosby: *(Off Mic)* Yes.

Councilman McGinn: I mean really.

President Adams: Actually it doesn't...

Councilwoman Brinkerhoff-Riley: Hm it doesn't.

President Adams:...frighten me at all.

Councilwoman Brinkerhoff-Riley: It doesn't really matter because if we're wrong...

Speaking Simultaneously

President Adams: I mean I know we are trying to here.

Councilwoman Brinkerhoff-Riley:...we're wrong after this vote the same as we are tonight and so it really doesn't change the status in my opinion except that if we're right, the ordinance moves forward.

Councilman McGinn: If you're right.

President Adams: Okay, one more call. Roll call vote please.

Councilman McGinn: This is to override the veto?

City Clerk Windhorst: Override the veto.

President Adams: Yes.

ROLL CALL

Ayes: Brinkerhoff-Riley, Robinson, Friend, Lindsey, O'Daniel, Adams

Nays: McGinn, Mosby, Weaver

President Adams: Being three (3) nays and six (6) ayes, the veto has been overridden.

Okay, any other comments from the public in terms of Miscellaneous comments at all before we shut it down tonight.

Randy Jones: *(Off Mic) (Inaudible)*

President Adams: You have to come up though.

Randy Jones: *(Off Mic)* I'm coming.

President Adams: No talking from the nickel seats. Sir.

Randy Jones: Randy Jones. I've got some questions and instead of just preaching I want to actually ask the questions.

We have this hotel deal and I know that you guys are tired of hearing it and somebody else...

I came to this meeting. I went to seven different meetings and I was told that we were getting a 76 million dollar hotel. All the agreements was made. Old National Bank was making the agreements and everybody had agreed on this.

President Adams: I thought it was 71 *(Inaudible)*.

Randy Jones: Well, it was 76 to start. Then it went 71 million, but that could be *(Inaudible)*.

President Adams: But now it's up to 78.

Randy Jones: It's up to 78 million now?

President Adams: Yeah, according to the Courier & Press.

Randy Jones: But it's not happening so what I would like to see this Council to do is pull that 20 million and start over again so that we might have a decent hotel there if we're going to build one because if you leave that 20 million there, to my opinion, it can be used for anything that they want to use it for and I don't believe we or you agreed to 20 million for a 71, 76, 78 million dollar construction thing. HCW sat up here and told us they had the contract with Hilton. I was here when I asked him. I said, "You've got all the contracts? You got all the agreements?". "Yes". Apparently that wasn't necessarily true as we all know. So it concerns me now.

Councilman McGinn: I don't know that. Why do we all know that?

Randy Jones: Because he had a...

Councilman McGinn: Just out of curiosity.

Randy Jones: Because he had...the lawsuit was filed after it and he couldn't produce a contract. If he'd already had an agreement and then he would have not had to worry about anybody challenging that.

Councilman McGinn: You've seen the lawsuit?

Randy Jones: No, there was no lawsuit. Mr. Dunn apparently questioned it. If Hilton had already give him the contract there wouldn't have been a need for that.

But anyway, the fact is that we have 20 million dollars sitting out there right now and it needs to be pulled until we can see a new contractor, or somebody, that can build that hotel and I would hope that it'd be the 71 million that we were promised by HCW but it may not happen.

President Adams: Frankly, if we can wait til we get the funding for med school, which will be, I believe, May 1, and they may even know what we're doing by the end of January. I think it would be awfully nice to have that particular project in the bag before we go on to our...yet another developer.

Randy Jones: Well this is true.

President Adams: That's just me...that's just my personal opinion.

Randy Jones: So that 20 million can't be used for anything else right now, like, I mean, there's all kinds of stuff that we're hearing blogs and I...these are rumors, that they're going to build a double tower there, they've got another contractor that's wanting to come in do it. You know, that 20 million can't be used for that, correct?

Councilman O'Daniel: It would be available at this point but that has to be approved and that's also one of the reasons...

Speaking Simultaneously

Randy Jones: So it would have to be re-voted on reapproved for that.

Councilman O'Daniel: It's also one of the reasons that we've appointed...reappointed or...reappointed Mr. Wheeler and appointed Ms. Musgrave to the Redevelopment Commission today because we know that that is something that is something that's being discussed.

I think the concern that I have, and it's probably not unlike yours, is what did the ERC know and what are they being told because at the December 2 meeting, Ms. Abel responded to a question of how the hotel's coming along and, I mean, this is from the minutes of the ERC, and she stated, "That will not be a site lay-down area until sometime after the first week of January", and, "Hunt was doing the site measurements and will begin site preparation soon. They're ordering trailers and equipment and they'll be moving the fences around in preparation for the construction". That's the minutes from the ERC on December 2 and we learn less than two weeks later that the deal was no longer going to happen now.

Look, I don't know who knew what and when they knew it but the problem is the communication and that's a big...it's a big language, you know, barrier sometimes but we're not necessarily privy to it. We've not been made privy to it. Apparently Ms. Abel

was not made privy to it within the two weeks and certainly our appointee was not made privy to it. I have real concerns with that, okay?

Randy Jones: Okay.

Councilman O'Daniel: And hopefully this experience will lead us to...

Randy Jones: So before this hotel...

Councilman O'Daniel:...a better process.

Randy Jones:...can be made, it has to be re-voted for that money to be reallocated, right?

Councilwoman Brinkerhoff-Riley: No.

Unidentified Speaker: *(Off Mic) (Inaudible)*

Councilwoman Brinkerhoff-Riley: No.

Randy Jones: No?

Councilwoman Brinkerhoff-Riley: No, and I think you've got a valid point. I mean we...

Randy Jones: I've got a point that...

Councilwoman Brinkerhoff-Riley: When we voted on the 20 million it was when the president and CEO of Old National Bank stood before us and confirmed the financial viability of HCW and now there is that potential that another developer could be picked up and we've already voted to allot the funds without having personally seen or been reassured of their financial ability to develop the hotel so, I mean, you've got to really valid point and I...but it's not lost on us. I hope you've...understand from listening that we're all incredibly concerned about what's happening and we're trying very hard to get to that information so we can keep pace with developments and know what we're supposed to do at this point.

Randy Jones: But as it stands right now, that 20 million can be spent for whatever they decide to spend it on...on another hotel or another contractor.

Councilman McGinn: Can I ask a question on that? I may...throw this out. My recollection is every time we do these bonds we actually get the prospectus and we vote

again on the issuance of those bonds. We have another...comes before us again once the prospectus is done.

Councilman Friend: *(Off Mic)* No.

Councilwoman Brinkerhoff-Riley: Hu-uh.

Councilman Friend: No, not at all.

Councilman O'Daniel: We authorized the issuance...

Councilwoman Brinkerhoff-Riley: We authorized 20 million.

Councilman Friend: That's the problem. If I may add...

Councilman McGinn: I'm just saying the scope of the project will be in the prospectus if that's voted on then by the ERC.

Councilman Friend: Yeah, yeah.

Councilman McGinn: But there's always that next vote when the prospectus comes.

Councilman Friend: These, from our end...one of the things, you know, we went through this round and round, trying to get what you call the due diligence stuff and I recall we had a...we did get a vouching of HR, I mean HCW, and now we will have a new, obviously, a new developer and we don't know what kind of due diligence is going to go into that. That money's already been appropriated far as I can tell. It's out there. They can issue that bond.

Councilwoman Robinson: So the new developer would not have to come before us...

Councilman Friend: No, not a bit.

Councilwoman Robinson:... 'cause the bond's already been issued.

Councilman Friend: Not a bit.

Councilman O'Daniel: But there's a, I mean, there's also the political aspect of that as well. You know, I mean here we are less than a month ago and it's a dead deal and then all a sudden resurrected and say, "We're going to build something within three weeks, including Christmas and everything else". I would think that that would be a...

Randy Jones: I would think you would want to rescind that. I really believe that you'd want to take that 20 million back until you know definitely what's going on, and a proper vetting maybe. Maybe HCW wasn't vetted exactly right. I brought up at one of the meetings their Paydex was poor. I was laughed at. They do have a poor Paydex if you go on the...but I'm just going by the internet. I'm not really a financial person but I believe that there needs to be better vetting on the next one. I mean I've seen millions spent on trying to get these hotels here. I'm not against the hotel, don't get me wrong. I was at 37 million; at the 20 million not so much, but I think before another contractor comes in here he should be properly vetted. The contract should be written...I thought they were all done. I thought Old National was going to put 14 million back. That's why we...the...they were given the naming rights. I thought this was a done deal but apparently the vetting wasn't done and it wasn't a done deal and now I'm hearing, "Well we're backing off; it's too much. It's costing too much", which I did have another little comment but not much as this one. But I do believe that this is concern to me. I don't want a 30 million dollar hotel built with 20 million dollars of tax payer money if this isn't a 71 million dollar project, or 76, 78, as you said, the Courier & Press, I don't feel that we should spend 20 million on a 30 million dollar hotel if that's what's going to be made and the condos that we were supposed to get, apparently we're not going to get now so we're going to need a lot less than what you all actually put 20 million for. Instead of spending a percentage of it, we're going to...the majority, and I don't believe the tax payer should have to do that. That was my main concern and I'm not, you know, being mean or nothing. I just...I'm looking at the business part of it.

Councilwoman Brinkerhoff-Riley: No, Randy you've got a valid concern and I'm curious...is Mr. Schaefer...do you have anything you can tell us that's transpired in the last few weeks?

Chief of Staff Schaefer: Steve Schaefer, Chief of Staff for the Mayor.

Just like all of you, we were disappointed when we received the news of the deal. The week that we were notified Hunt Construction received their state permits so the statements by Ms. Abel were exactly correct. Everything was moving forward. We were discussing lane clo...or road closures with Hunt Construction so we share the disappointment since...

Councilman O'Daniel: But you knew at that time you didn't have the financing available. That the bids were over...that it had been overbid and that there was still a...

Speaking Simultaneously

Chief of Staff Schaefer: That was a long time ago that it was over bid.

Councilman O'Daniel: Well I understand that but...

Chief of Staff Schaefer: I mean that it was rebid.

Councilman O'Daniel:...but that Old National couldn't contribute the balance of that money.

Chief of Staff Schaefer: No, we were notified just a day or two before we made the announcement.

Councilman O'Daniel: Well didn't Old National have to go through a process by which they tried to get a valuation of what those naming rights were?

Chief of Staff Schaefer: Yeah and as soon as they got that back...

Speaking Simultaneously

Councilman O'Daniel: And I assume you were privy to that information.

Chief of Staff Schaefer: After...after it was complete.

Councilman O'Daniel: And when did that occur?

City Council Attorney Danks: *(Off Mic) (Inaudible)* that process take?

Chief of Staff Schaefer: Do you want to...I mean...

President Adams: *(Off Mic)* This whole *(Inaudible)* naming rights evaluation...this is just...it amazes me because...

Chief of Staff Schaefer: You've never heard of the naming rights?

President Adams: You never mentioned when we passed the money, back when we did the bonding. This was sort of something that came out of the sky. My understanding was that Old National was going to put up, I think, 13 mil and they were going to get lots of people, business owners that were in the community that were going to contribute to this to make up the 13 mil and therefore we'd have private investment versus our public investment plus the developer. And suddenly, out of the sky, we get this deal about the naming rights of The Centre. I don't *(Inaudible)*. You never mentioned the naming rights up until,...

Speaking Simultaneously

Chief of Staff Schaefer: That was always part of the deal.

President Adams:...to my knowledge, till two weeks ago.

Chief of Staff Schaefer: Again, that was...that was discussed.

City Council Attorney Danks: *(Off Mic) (Inaudible)*

Chief of Staff Schaefer: The County Commissioners...okay.

City Council Attorney Danks: Certainly not to this Council. It was never discussed to the City Council when they agreed to the 20 million dollar bond issue that Old National's contribution was contingent upon a certain value of those naming rights. That has never been presented to this board.

Councilman O'Daniel: And it was always indicated that the financing was intact and that the project was moving forward. It just had to be rebid because of overrides. Now, we never knew what those overrides were with what it initially was and what it was carved back to.

Chief of Staff Schaefer: Uh-hum.

Councilman O'Daniel: We just knew that there was going to be...what'd they call it? Something engineering...Value Engineering going on.

Chief of Staff Schaefer: Uh-hum.

Councilman O'Daniel: But that was the last we heard of anything. But as far as everything else that came out of the Mayor's office was, "It's on track. Hunt Construction's been named as the lead contractor. We're going to have something out there soon..."

Chief of Staff Schaefer: Uh-hum.

Councilman O'Daniel: I think December 2nd we saw a bulldozer out there.

Chief of Staff Schaefer: Uh-hum.

Councilman O'Daniel: That's it. You know I mean...and then two weeks later there's nothing. The financing was never there though but we were misled. *(Inaudible)*

Chief of Staff Schaefer: You weren't misled. With all due respect, you weren't misled and the Administration...

Speaking Simultaneously

Councilman O'Daniel: Well when did you know...when did you know that Old National was going to have trouble bringing money to the table?

Chief of Staff Schaefer: What do you mean? When did they notify us?

Councilman O'Daniel: Well everybody said the financing was intact.

Chief of Staff Schaefer: It was...it was a couple of days before we made the announcement.

Councilman O'Daniel: Well I assume that you were in touch with HCW and...

Chief of Staff Schaefer: Uh-hum.

Councilman O'Daniel:...were they lying to you then that they had all the financing intact?

Chief of Staff Schaefer: HCW wasn't lying to us, no. And just for the record, all three...

Councilman O'Daniel: Well did you have any communication with them then?

Chief of Staff Schaefer: With HCW? Yes.

Councilman O'Daniel: Okay, and did you ask 'em about the financing?

Chief of Staff Schaefer: Yes.

Councilman O'Daniel: Okay, and if they said that the financing was intact and it wasn't then that's a lie by its very nature. You can't have...

Chief of Staff Schaefer: Councilman O'Daniel, there's no...

Councilman O'Daniel:...it both ways.

Chief of Staff Schaefer: Councilman O'Daniel, there's no conspiracy theory here.

Councilman O'Daniel: I'm not talking about conspiracy theory, I'm just talking about...

Chief of Staff Schaefer: We...once Old National...once Old National...

Councilman O'Daniel: I'm talking about openness and transparency and whether or not we as a council or we as a community, were told things that either weren't going to happen, just to keep our hopes up, or just flat-out lied to. And it's not conspiracy; it's just when did people know what was going to happen or that there were problems with it? And there was always this, "two weeks out". "We're going to start in two weeks".

"We're going to start in two weeks". "We're going to put something out there in two weeks". And that two weeks never came until December 15 when it was...when it was put on ice. That's what I saw and that's not as a councilman; that's just as a citizen of this community.

Chief of Staff Schaefer: We're as disappointed as you are but all along we have been moving forward with the project. As I just stated, the state permits came just days before we got the report or we were told by Old National that they could not make that investment at that level.

City Council Attorney Danks: Mr. Schaefer, just for clarification...

Chief of Staff Schaefer: Sure.

City Council Attorney Danks:...you're saying that HCW did in fact have their share of the financing and the Administration verified that?

Chief of Staff Schaefer: That what? Say that again.

City Council Attorney Danks: The developer had their share of the financing. That was intact, right?

Chief of Staff Schaefer: Well, the Old National was part of the private investment so what HCW is bringing to the table, yes.

City Council Attorney Danks: Okay, so they were good with the funds that they were committing to the project, right?

Chief of Staff Schaefer: Uh-hum.

City Council Attorney Danks: The City County was good for the 20 million, correct? And then the third is the Old National contribution, correct?

Chief of Staff Schaefer: Uh-hum.

City Council Attorney Danks: And are you telling this Council that you did not know that that was going to be a problem with Old National until two days before prior to the Mayor's press release?

Chief of Staff Schaefer: That's when we were notified, yes.

City Council Attorney Danks: By whom?

Chief of Staff Schaefer: By Old National Bank.

City Council Attorney Danks: So up to that point, the Administration was under the impression that Old National was going to honor that commitment?

Chief of Staff Schaefer: Yes, we were hopeful, yes.

City Council Attorney Danks: And it was not contingent on some type of naming rights?

Chief of Staff Schaefer: The naming rights was a discussion that had occurred a long time ago.

City Council Attorney Danks: Then why wasn't the evaluation done a long time ago?

Chief of Staff Schaefer: That would be a question for Old National Bank.

City Council Attorney Danks: Well, isn't it a question for this Administration since you're relying on those funds for this project?

Chief of Staff Schaefer: Mr. Danks, we're as disappointed as anybody else but the...

City Council Attorney Danks: That's not my question about your level of disappointment. My question is that the Council, the public, and the news media has been reassured, pretty much twice a month, about every other week primarily through you, sir.

Chief of Staff Schaefer: Huh?

City Council Attorney Danks: And everything was on track, everything was A-Okay. The City County Observer's been reporting for months that there was a problem with the financing. That's been denied. Everything was in place but it's your statement tonight to this Council that you thought that everything was a go until two days prior to the Mayor's press release, where he indicated that the project was dead.

Chief of Staff Schaefer: Yes.

City Council Attorney Danks: All right. And secondly, if I might, because the Council...I have had questions from members of the Council about that 20 million dollars that's floating out there for a project...

Chief of Staff Schaefer: Uh-hum.

City Council Attorney Danks:...and now we're hearing these rumors that there's another developer that's been selected.

Chief of Staff Schaefer: That is false.

City Council Attorney Danks: Okay, all right.

Chief of Staff Schaefer: The...no...I was going to get a copy...

Councilman O'Daniel: Can we get a commitment from the Administration, and this may help Mr. Jones here, that no further project on the...no selection on the hotel developer or commitment of the 20 million dollars will be done until both the ERC and this Council is notified and had an opportunity to vet?

Chief of Staff Schaefer: I can't...I can't make that commitment but what I can commit is I was going to give you an update on the project itself. Old National...

Laughter

Chief of Staff Schaefer: Was there something funny?

City Council Attorney Danks: Yes.

Chief of Staff Schaefer: What's funny?

City Council Attorney Danks: You've been giving updates for a year now and they've all been inaccurate.

Chief of Staff Schaefer: What's been inaccurate Mr. Danks?

City Council Attorney Danks: Well frankly, you don't have a tremendous amount of credibility.

Chief of Staff Schaefer: What is inaccurate? What is inaccurate?

President Adams: *(Off Mic)* Well, one thing is it's gone up to 78 million dollars. We didn't find that out until HCW made a comment to the Courier & Press.

Chief of Staff Schaefer: Okay.

City Council Attorney Danks: And your repeated assurance that everything was go, the financing was intact and now you've come up with this stuff, "Well, we had to do an

evaluation of those naming rights". I'm thinking that's probably about a 10-day process; it's not a one-year process and this was done right at the 11th hour and apparently that's the reason the project was killed but this board has been assured and reassured and reassured, so has the public, so has the news media, there was no problem with the financing. And we're hearing from other sources that the Administration was aware that there's a potential problem with the financing for at least three months and you're denying that tonight, correct?

Chief of Staff Schaefer: Yeah, a...

City Council Attorney Danks: All right.

Chief of Staff Schaefer: Days before the announcement we were hopeful that the valuation report...that is was going to be...that everything was going to be fine.

Speaking Simultaneously

City Council Attorney Danks: I mean what type of due diligence...

Councilman O'Daniel: *(Inaudible)* knew of the valuation report...

Chief of Staff Schaefer: Yes, everybody knew about the valuation report.

Councilman O'Daniel:...and then ultimately...and then ultimately that was...

President Adams: *(Off Mic) (Inaudible)*...we didn't know.

Chief of Staff Schaefer: It was reported in the media.

Councilman O'Daniel:...and that ultimately that was the real issue...

Chief of Staff Schaefer: Uh-hum.

Councilman O'Daniel:...on whether or not this project would go forward.

Chief of Staff Schaefer: It was 11th hour, yes. It was a...it...it...

City Council Attorney Danks: What was Old Na...if I may, what was Old National's commitment that they...dollar amount?

Chief of Staff Schaefer: I believe 14 million.

City Council Attorney Danks: Fourteen million. Did they really have to have an appraiser come in and tell them that the naming rights for The Centre was not worth 14 million dollars when the naming rights for the Ford Center, I think is what? Four million?

Chief of Staff Schaefer: I don't know.

Councilman O'Daniel: *(Off Mic)* Four hundred thousand a year.

City Council Attorney Danks: Four hundred thousand a year for ten years; that's four million. I mean did they really have to have experts come in...have to come in and say, "Listen, it's not worth 14 million dollars"? How did the Administration not know, if the naming rights was always an issue, how did you not know that it wasn't going to match up the 14 million dollars?

Chief of Staff Schaefer: Are...okay...

City Council Attorney Danks: I bet this gentleman standing behind you here could have told you that.

Chief of Staff Schaefer: It wasn't just for the naming rights; it was also for the investment itself of the worth.

City Council Attorney Danks: Yeah, I think it was represented to the Council that they were retaining an equitable interest, if I remember correctly, right?

Councilwoman Brinkerhoff-Riley: Yes, I sat in Bob Jones' office the Monday of the vote and September of 2013 and sat with him and Pat Shoulders and an attorney for Old National Bank, who showed me on paper the structure of the partnership that would exist between Old National Bank and HCW and then we voted Monday night with the understanding that Old National Bank would be an equitable partner. Even, I mean, it was on paper even down to the detail of how profit would be distributed among the partners and it was contingent on the amount of cash that HCW ultimately brought to the table versus a loan and then literally...

Councilman McGinn: Stephanie, question. Was that just the tower though? Wasn't that just the apartment tower as opposed to...

Councilwoman Brinkerhoff-Riley: No, that was the hotel. The apartments were always going...

Councilman O'Daniel: *(Off Mic)* It was separate. *(Inaudible)* separate.

Councilwoman Brinkerhoff-Riley: to be built by HCW on their own.

Councilman O'Daniel: But I...

Councilwoman Brinkerhoff-Riley: I sat in that office on the Monday we voted and saw the partnership structure and how that was going to be. We voted Monday night and then how many months later was it that we found out, or it was announced, that they had bought the naming rights to The Centre and then through backdoor information we were able to determine that they were never able to generate the investment funds for the 14 million. They were never able to get investors at \$250,000 a pop to put in the 14 million and so it became a naming rights agreement with The Center and that was...that was a year before the announcement was made in December of '14 that they couldn't get more than five million dollars for the naming rights. I mean I...what's a...I'd like to know is what triggered the, basically, the appraisal of the naming rights to begin with because for a year finishing this project was contingent on naming rights and a deal signed by the Commissioners and Old National Bank that none of knew had even happened until after the fact. I mean what triggers an appraisal? Why wouldn't the...it makes no sense to me that they would sign a contract, although the wording, "up to 14 million", that was a good indicator when we saw the actual contract between the Commissioners and ONB that they weren't actually committing to some specific but who signs a contract like that with appraising those naming rights at the time of the contract? I mean was...did this get triggered by Old National Bank moving in to that next tier of banking where they had more compliance issues?

Councilman Friend: Stephanie...

Councilwoman Brinkerhoff-Riley: I mean this made no sense to me that a year after naming rights, all of a sudden it's contingent on an appraisal.

Councilman Friend: Stephanie, there's a thing out there call FASB147 which requires that all publically traded companies got to go through an Impairment Evaluation of Intangibles as they put those on their balance sheet. Now their audit committee at Old National Bank would have known this. That's required under stocks, Sarbanes-Oxley, that they knew that this permit had to be done right out of the gate, and this has been on...this has been on the boards now ever since the ENRON fiasco. Now they should have known that and they would have known that.

Councilwoman Brinkerhoff-Riley: It just makes no sense to me that we got derailed 15 months after the deal was cut by something that theoretically, I agree with Mr. Danks, would have been done at the onset of the agreement between the County Commissioners. I mean that signage has been...I mean we've been calling it the Old National Events Plaza for a year and I don't think any money's changed hands.

City Council Attorney Danks: Mr. Schaefer, just one other question, and again, I get questions from the Council. I don't have the information that...most the information the Council has is what they've read in the news media and...but there were reports in the news media that the shortfall in funding for the entire project I think was 6.5 million, I think.

Councilman O'Daniel: *(Off Mic)* Or eight.

City Council Attorney Danks: Or eight. My question is what was...we know the developers commitment, we know the City's commitment. What was Old National's final commitment? How much were they able to contribute towards the project if it had gone forward? I understand there was...

Chief of Staff Schaefer: There was a gap.

City Council Attorney Danks:...*(Inaudible)* 14 million.

Chief of Staff Schaefer: There was a gap of like six to...I think it was reported eight.

Speaking Simultaneously

City Council Attorney Danks: Rather than tell me there's a gap, 'cause I don't know where the gap starts from,

Chief of Staff Schaefer: Oh, with the 14?

City Council Attorney Danks: How much...how much were they able to contribute?

Councilwoman Brinkerhoff-Riley: I think it was five million. The naming rights came in at five million.

Chief of Staff Schaefer: Well I'm asking Mr. Schaefer how much...

Chief of Staff Schaefer: Ah, ah...okay. I would encourage...maybe we can have a representative from Old National answer some of these.

City Council Attorney Danks: Well you're the Mayor's Chief of Staff and you...

Chief of Staff Schaefer: Are you a Councilmember?

City Council Attorney Danks: No, actually I'm the attorney for the Council sir...

Speaking Simultaneously

Chief of Staff Schaefer: I'm getting all the questions from you.

City Council Attorney Danks:...and they're asking me questions about that 20 million dollar bond issue that's floating out there that this Administration could use tomorrow without coming back before this Council.

Chief of Staff Schaefer: Uh-hum.

City Council Attorney Danks: So for me to advise them I'd like to have some information because the Administration hasn't been terribly open with this Council. Most of the information we receive is through the news media. So again, my question is, you're the Chief of Staff, you've been meeting with the news media, giving them updates on this project...

Chief of Staff Schaefer: Uh-hum.

City Council Attorney Danks:...including the financing.

Chief of Staff Schaefer: Uh-hum.

City Council Attorney Danks: I'm assuming you're the person to know. How much was Old National able to commit? After they did their evaluation what was the final number that they were able to commit to this project?

Chief of Staff Schaefer: I...the gap was about six million dollars.

City Council Attorney Danks: I got the gap but I don't know where...so do I subtract 6.5 from 14 million or from 11 million?

Chief of Staff Schaefer: Yes, 14. Yes, 14 was what they committed.

Speaking Simultaneously

President Adams: Well there's just a whole lot of *(Inaudible)*. I'm not...I'm having a little trouble with the math. The last time we met...

Chief of Staff Schaefer: Uh-hum.

President Adams:...this whole project was going to be 71 mil and we were going to put in...I can't remember...we're coming up with 20.

Councilman O'Daniel: *(Off Mic) (Inaudible)* with a 20 million dollar bond because CVB and the County we *(Inaudible)*.

President Adams: Right, okay. And now we hear it's up to 78 million with HCW. HCW said that and yet the bank can't come up with six million in the evaluation so suddenly

the gap isn't just three or four million; it's got to be more than that. If it's going to cost 78 million instead of 71 million, or it was going to, and the bank can't come up with their full load...

Speaking Simultaneously

Chief of Staff Schaefer: I just said the gap was...

President Adams: It's got to be less than the 71.

Chief of Staff Schaefer: But before we go on anymore, I was originally going to give an update on what was happening. Can I do that?

President Adams: Let me ask you this question.

Chief of Staff Schaefer: Okay.

President Adams: Would the Administration have any problem with us just revoking the 20 million dollar bond so that we can...

Chief of Staff Schaefer: Yes.

President Adams...so that we can start from...if you're going to get a new developer, why can't we start from ground-zero too?

Chief of Staff Schaefer: And I was just about to say, I was coming up here to give an update on the hotel project. So right now Old National, the City, and HCW are in negotiation, trying to figure out how to get this deal done. One of the...one of the options that they have floated is removing the apartments from the deal. That was all on the private side. That would...that would change the...let me get the terms...it would change the type of structure underneath. It wouldn't have to be as...the geo piers wouldn't have to be as, I'm using a non-technical term, sturdy.

Councilman O'Daniel: *(Off Mic)* It wouldn't need to be as tall.

Chief of Staff Schaefer: There you go.

Councilman O'Daniel: *(Off Mic)* Move it around; spread it out.

Chief of Staff Schaefer: It would be five-story so we're trying to figure out a way to reduce to...to basically get within a...a...budget so...but we would still have the hotel, we would still have everything that we wanted but we wouldn't have the apartment complex so right now we are trying to work that out with them to get it moved forward.

So yes, we would have an issue with revoking it right now. We'd like to explore all options with HCW before we take any other steps.

City Council Attorney Danks: But did I understand that you could not commit to the Administration coming before this Council and seeking their approval once you have a final product, whatever that might be. You're not prepared to commit to that tonight?

Chief of Staff Schaefer: If it's a new devel...if it's with HCW?

Councilman O'Daniel: *(Off Mic)* Even that *(Inaudible)*...

City Council Attorney Danks: Well, but the project *(Inaudible)*...
Speaking Simultaneously

Chief of Staff Schaefer: No, because that's the developer that...

Councilman O'Daniel: What was the cost of the apartments? Do you recall?

Chief of Staff Schaefer: I don't have it off the cuff.

Councilman O'Daniel: Sixteen million.

City Council Attorney Danks: Sixteen million; so you take that off the 71 or 76 million. All of a sudden the City is subsidy, or incentive...

Councilman O'Daniel: No, that was separately. It was separate.

Chief of Staff Schaefer: No, it was separate.

City Council Attorney Danks: It was separate? Okay.

Councilwoman Brinkerhoff-Riley: But they still...you're looking at decreasing the overall cost of the hotel, which fundam...which mathematically increases the percentage of our...of what we're subsidizing. I mean that's actually...that's what you're looking at.

Councilman Lindsey: Hey, how would this a...how would this be taxed? I mean...

Councilwoman Brinkerhoff-Riley: Let him...will you let him answer me please?

Councilman Lindsey: Oh, I'm sorry.

Councilwoman Brinkerhoff-Riley: Sorry.

Councilman Lindsey: Okay, I'm sorry.

Councilwoman Brinkerhoff-Riley: I mean that's ultimately what you're looking at. Reducing the cost and our subsidy would remain the same so we would...the solution you seek is that the public pay a greater percentage of this project.

Chief of Staff Schaefer: The public percentage would still be lower.

Councilman O'Daniel: Than what?

Chief of Staff Schaefer: Than the private. Well, let me a...

Councilwoman Brinkerhoff-Riley: That's not the question. It's the percentage. On a 71 or 78...

Chief of Staff Schaefer: Uh-hum.

Councilwoman Brinkerhoff-Riley:...million dollar project and a 20 million contribution from us, the only way this works is for you to reduce the total cost but you're not coming back here and reducing our...the amount that the public is putting forward. So your solution is that the public would pay more of the greater of the total cost than what the last project was.

Chief of Staff Schaefer: I can't answer that.

Councilwoman Robinson: You don't know what percentage that 20...that 20 million dollar bond is?

Chief of Staff Schaefer: I don't know. Kelley, do you know? Do you guys know?

DMD Executive Director Coures: *(Off Mic) (Inaudible)* the hotel was only 7.5 million.

President Adams: Let's hear it. Please, join us.

DMD Executive Director Coures: *(Off Mic)* I'm sorry, Mr. President.

President Adams: Thank you sir.

DMD Executive Director Coures: *(On Mic)* The hotel was 7.5. The other money was for the parking garage, the sky bridges, and the streetscape.

Councilman O'Daniel: Right.

DMD Executive Director Coures: The public...the public...the hotel dollars were 7.5.

Councilwoman Brinkerhoff-Riley: *(Off Mic) (Inaudible)*.

DMD Executive Director Coures: And it'll be 7.5 regardless of what the hotel was supposed to be...

Councilman O'Daniel: *(Off Mic)* Thirty-seven.

Chief of Staff Schaefer: Thirty-seven million, so...

Councilwoman Brinkerhoff-Riley: So my question is the same though. If the overall cost...

Speaking Simultaneously

DMD Executive Director Coures: The 7.5 million would be the same amount of investment in just the hotel so the perce...

Speaking Simultaneously

Councilwoman Brinkerhoff-Riley: And you're looking at lowering the cost of the hotel, right?

DMD Executive Director Coures: Exactly, to bring the cost of the hotel down.

Councilwoman Brinkerhoff-Riley: So if you reduce the cost of the hotel, and our subsidy, at whatever number, remains the same...

DMD Executive Director Coures: It would be a higher percentage.

Councilwoman Brinkerhoff-Riley:...then we are paying a greater percent of this project.

DMD Executive Director Coures: That's...well, of the hotel...of the hotel. It's the same percentage of the sky bridges and the streetscape.

Councilwoman Brinkerhoff-Riley: That's not my point.

DMD Executive Director Coures: I know what you're saying. I know what you're saying but I don't think Council approved that as a percentage of anything.

President Adams: Yeah we did, I'm sorry.

Speaking Simultaneously

Councilwoman Brinkerhoff-Riley: No, but we knew what the numbers were.

President Adams: Au contraire. Let's just stop for a second. One of the things that we went to the mat was we, on many, many different sources, came that we should...the City should put 25% into the hotel.

City Council Attorney Danks: *(Off Mic)* Maximum.

Councilman Friend: *(Off Mic)* Maximum.

City Council Attorney Danks: *(Off Mic)* Maximum.

President Adams: Maximum.

DMD Executive Director Coures: Okay.

President Adams: It was a percentage, because it was double that before...

Councilman O'Daniel: And that's why the 16.5 is our commitment, not 20. I mean our commitment was 16.5 of the total amount and...

DMD Executive Director Coures: Of the...7.5 is all that was ever for the hotel.

Councilman O'Daniel: Well I understand stand that but...

DMD Executive Director Coures: That I recall.

Multiple Speakers: *Speaking Simultaneously*

DMD Executive Director Coures: There was a different director at that...

Councilman O'Daniel: The parking garage and everything else is part of the hotel project. I mean let's...

DMD Executive Director Coures: Yeah, you're right. Absolutely you're right. Absolutely right. And what we're...what they're trying to do is reduce the overall cost of everything.

Councilman O'Daniel: Well, and I understand that but what if the...

DMD Executive Director Coures: Not just the hotel but we're...they're trying to come with a cost of reducing the garage, or reducing all the costs.

Councilman O'Daniel: But we're not going to reduce the garage because we need that. We've already increased that for the med school. You know, that's now going up.

DMD Executive Director Coures: Well unless...unless other parking alternatives can be found. You know the development agreement doesn't require parking spaces in a covered garage. It requires parking spaces per room.

Councilman O'Daniel: Okay, so...

DMD Executive Director Coures: So if you can do some surface parking on other parts of that property then you do reduce the cost of the hotel...of the parking garage.

Councilman O'Daniel: Then I guess if we reduced the parking garage then our commitment won't be 20 million. It'll just be...instead of that 12.5, it'll be 10.5...

DMD Executive Director Coures: It's...it...

Councilman O'Daniel:...because that's our money. You just said the parking garage isn't really part of it. That was part of that 12.5.

DMD Executive Director Coures: That was ours so...

Councilman O'Daniel: But the other part of it is if you reduce the floors from ten to five and you spread it out and it goes from 78 to 58 million, now we are paying a much greater percentage for that and it's not the same, you know, glitzy 3.5-star hotel that's been projected (*Inaudible*)...

DMD Executive Director Coures: We would still be...it would still be carry the DoubleTree logo. It would still...

Chief of Staff Schaefer: Meet the brand standard.

DMD Executive Director Coures: It would still meet the meet the brand standards, as I understand it. I mean I'm not that deeply involved in the negotiations. I've...I know things when Steve tells me but as I under...

Councilwoman Brinkerhoff-Riley: Right. No, but I think you've answered the question.

Speaking Simultaneously

President Adams: Well you're lucky.

Councilwoman Brinkerhoff-Riley: Our...we're looking at paying a bigger part of this hotel.

DMD Executive Director Coures: It was 7.5 million for the hotel.

Councilwoman Robinson: I think John, when we checked around the country to see what public subsidies were, they were in the range...at first ours was too high so we tried to keep in the range of between 20% to 25%, what the other cities were doing. Now if you're telling us that the cost of the project is going down but our percentage is still...our percentage is going to be up because we're not reducing the amount that we're bonding.

Chief of Staff Schaefer: And...I mean we haven't determined that yet. We're trying to figure out options to move *(Inaudible)*

Councilman O'Daniel: And that's the only commitment that I want from...

Speaking Simultaneously

Councilwoman Brinkerhoff-Riley: That's the only option.

Councilman O'Daniel: That's only commitment that I want from the Administration is don't go forward until you talk to us and talk to the ERC because apparently they're out of the loop too.

Councilwoman Robinson: *(Off Mic)* Stan, did you know about this?

Chief of Staff Schaefer: The ERC president has been in those meetings.

Councilwoman Robinson: So what about the entire Commissioner? All the Commissioners? Just the president's been in there?

Chief of Staff Schaefer: For what? For what specific part?

Councilwoman Robinson: In the negotiations or discussing this?

Chief of Staff Schaefer: Just in the past few days, over the holiday, Randy Alsman was the only one in there.

Councilwoman Robinson: Hm.

Chief of Staff Schaefer: And I don't want to...

DMD Executive Director Coures: Do you need for anything else?

Chief of Staff Schaefer: Maybe.

DMD Executive Director Coures: Okay, well I'll be right here.

Chief of Staff Schaefer: We will...we will make the commitment...

Speaking Simultaneously

President Adams: You know I think...

DMD Executive Director Coures:...to come to Council and, you know, before any...before we go forward on the modified plan or in the event that there is a new developer...I think if there's a new developer were hired to get approval by ERC and I think come before this body so, I mean, so that commitment I think is...is clear.

Councilman O'Daniel: *(Off Mic)* You said no about five minutes ago.

Chief of Staff Schaefer: Well I...I wasn't clear.

President Adams: Well time-out. I think we've talked about...unless you some *(Inaudible)* more information.

Speaking Simultaneously

Chief of Staff Schaefer: But I would...I would...commit that.

President Adams: But it would seem to me that you have options and this body has options about what we're going to do with the 20 mil.

Chief of Staff Schaefer: Sure, and we'll come before Council and...

President Adams: But you're not listening to me. This particular group has an option about what they're willing to do with the 20 mil because there's so much ambiguity here; there's so much miscommunication. You may not think so but I'm telling you I think my colleagues, I don't want to speak for you, I think there's a great deal of ambiguity and I think the only way we're going to be able to get the real truth here is to start tightening the purse strings.

Councilwoman Robinson: I'd like to see the Mayor come 'cause this is a critical issue. We voted on this in September of '13 and now we're in the year of '15. What is it? Fifteen months later and we still don't have hotel. All we had was a ceremonial ground breaking in Sept...in '13 of March.

Councilman O'Daniel: *(Off Mic)* March of...

Councilwoman Robinson: We're no...huh?

City Council Attorney Danks: March of '14.

Councilman Friend: *(Off Mic)* March of '14.

Councilwoman Robinson: March of '14; I'm sorry. We're no closer to a hotel than we were when we hit the ground breaking.

President Adams: Well, okay. Pox. This is a touchy subject. I understand that this is not easy. Any...would anybody else want to make any comments at this juncture? Okay I...

Councilman O'Daniel: I just want him on the record. The Administration is not going to go forward as far as committing the 20 million until you come back before this body, even with the same developer.

Chief of Staff Schaefer: We will...we will certainly give the Council a...

Councilman O'Daniel: Yes or no; will you commit it or not? I don't...

Chief of Staff Schaefer: Are you seeking...

Councilman O'Daniel: It's really a yes or no question.

Chief of Staff Schaefer: Well yes to presenting and to giving you an update and doing it publically, certainly. But are you asking for...to give us another permission? Is that what you want?

Councilman O'Daniel: Actually, yes.

Chief of Staff Schaefer: Probably not.

President Adams: Okay.

Councilwoman Robinson: *(Off Mic)* We need to rescind the bond.

President Adams: Fine. Time-out, time-out. I appreciate it. Thank you so much. I appreciate your time.

Chief of Staff Schaefer: Thank you.

President Adams: God bless you.

Randy, that's enough.

Randy Jones: I didn't mean to start this as what it was but I was in *(Inaudible)*...

President Adams: Randy, it's not your fault.

Randy Jones: I know, but I'm just saying though that is why I brought the notion up, maybe. I don't know whatever you call it.

President Adams: Randy, we normally limit people to three to five minutes.

Randy Jones: I know that.

President Adams: You've had your questions. It's...

Randy Jones: I'll let it go then.

President Adams: It's time-out.

Randy Jones: Okay. I've got one other thing to bring up to this board on a new subject.

President Adams: Okay.

Randy Jones: I have sat before this board and watched you guys, you know, give City jobs,...

Speaking Simultaneously

Multiple Speakers: *(Off Mic) (Inaudible)*

Randy Jones:...hotel rooms and all that. Not once, and maybe I'm wrong and I have, you know, sometimes I can be wrong, I have never heard anyone say, "Let's give our priorities to some veterans", and I'm wondering why. You know the State gives veterans a little bit more push. There's news articles on that. But not once have I heard, "Let's give veterans a little extra push; give 'em 20% or 10% of the jobs". And I'm not asking for a job for the City. I am a disabled veteran. I do represent several veterans on a blog. At this time we have almost 63,000 voters. I have more but I'm going to put that number out.

President Adams: Okay, time-out.

Randy Jones: That's it.

Councilwoman Brinkerhoff-Riley: Yeah, I'd like to make a motion...

President Adams: Hold on a second; hold on.

Councilwoman Brinkerhoff-Riley: Can we just stop; please stop. I make a motion to rescind the 20 million dollar bond.

President Adams: I think that's a little premature. I think we need to sit down calmly. I'm not saying it's not a choice but I think our emotions are getting a little bit high at this juncture. I would prefer if we all sat down quietly, with Counsel, and discuss this and...because we have options.

Councilwoman Robinson: We can't have a caucus. Didn't he...he did...he would not com...he would not commit to us that they would not do anything without coming before us.

President Adams: I'm totally aware of that but I think it's very important for us not to get our adrenaline into this particular...

Councilwoman Robinson: I think we all on the Council want to see a hotel.

President Adams: Absolutely. Not a question, but I would love to see the med school get first and then we wouldn't have to spend as much money. Then we got the double whammy of the conventions and the med school.

Councilwoman Robinson: Well you not going to have much choice if they make a decision and you haven't rescinded the bond.

President Adams: You're right.

Unidentified Speaker: Good idea.

President Adams: Yeah.

Councilwoman Robinson: I second her motion

City Council Attorney Danks: *(Off Mic)* Looks like now it's open for discussion.

President Adams: Okay, it's open for discussion.

Councilman O'Daniel: Here's the thing, I think there's a lot of information that we don't know and there's a lot of information that we've read in the paper and we've

discussed this with, apparently, people who don't know all the answers either. And, you know, although there's a motion and a second out there, I would strongly urge this... 'cause I really don't want to vote on this tonight. I don't think that... I don't think we have enough information and maybe that's the whole point. Maybe that is the whole point, but it seems to me that if there is a motion and a second that we table that until the next meeting.

Councilwoman Brinkerhoff-Riley: Point of order: I think you can amend. I think you move to amend my motion.

Councilman McGinn: If we're still in discussion, I agree with Conor, Doc. I'd like to get... I think we ought to get more information. I mean just threat of rescinding this is going to have... may have an adverse effect on negotiations that are going on right now. I mean this action may submarine, you know, the thing that we all want, which is the hotel. You know, if we all take a deep breath and kind of back off then see what is forthcoming on this. I mean, obviously, from talking to Mr. Schaefer they're still trying to put a deal together. I mean it sounds like a lot of talk is going on. I mean I know with time and, you know, work that has been done, geo-tech and all that type of thing, nobody wants to see this thing go down the tubes and we're insuring that it will if in fact we take this vote. We just are.

President Adams: Well Councilman McGinn, the problem with this... the whole thing is if they do decrease the price of the hotel, the public's commitment will be sizably over the 25% usual limit for a downtown supported hotels.

Councilman McGinn: It is but let's, I mean, as human beings, I mean, we're putting Mr. Schaefer on a terrible spot right here. I mean he *(Inaudible)*... at least talk to find out whether or not he can make the commitment.

Speaking Simultaneously

President Adams: I'm not trying to... I'm not trying to do that.

Councilman McGinn: I mean if they want to make this commitment, which we'll find out just soon enough, then I think we're okay, you know. We're okay.

President Adams: Well, we have a motion and a... please, thank you.

Councilwoman Mosby: I agree. I really feel we don't have enough information in order to make this vote tonight. I just... it's all rushed through. I haven't had a chance to look at things, know what's going on. You know, once again...

Speaking Simultaneously

President Adams: *(Off Mic)* Obviously, we're not getting much information. I'm sorry.

Councilwoman Mosby:...this is one of the first times I've, you know, that we are getting closer to maybe something else so I would like to have more information so that I can talk with my constituents and get, you know, have a vote so they can have a voice as well. Not just, you know, at the last hour you telling me, "Oh, we're going to take this vote". Well, I'm sorry constituents, I haven't had a chance to talk with you and that is not what I was elected to do and will not vote for that this evening.

Councilman O'Daniel: Stan is our ERC representative.

Council ERC Appointee Wheeler: The ERC and HCW both have close to a million dollars apiece into this deal and if you rescind this 20 million HCW is going to lose right at a million and the City is going to throw away right at a million dollars so you need to think twice about that.

Councilwoman Brinkerhoff-Riley: Well why can't you come back? I mean if the price of the hotel is going to go down and the parking garage is going to change, which means that our infrastructure projects are going to change, why can't you come back?

Council ERC Appointee Wheeler: They...

Councilwoman Brinkerhoff-Riley: Why do we leave it hanging...

Council ERC Appointee Wheeler: All us...

Councilwoman Brinkerhoff-Riley:...knowing that Schaefer, that you aren't going to come back to us before you cut a second deal?

Council ERC Appointee Wheeler: Well he's speaking...

Councilwoman Brinkerhoff-Riley: Why would we do that?

Council ERC Appointee Wheeler:...he speaking for somebody else that I don't know that he can do that either but, you know, I'm just...I'm just saying that the ERC's got 900 and some-odd thousand dollars in on this hotel deal now and HCW does too. It...I think it would be to the City's benefit, as well as HCW, is to broker some new deal. Now if they come back, I would hope they would come back, and get your approval to do that. I'm just saying that if this goes down the tubes, we're out almost a million bucks on this hotel deal as it sits right now and HCW will be too.

Councilwoman Robinson: Stan, I think we're just concerned that our percentage will be over 25%.

Council ERC Appointee Wheeler: I understand that and my concern is there too, Connie. I don't, you know, if the hotel price goes down then our percentage should go down as well and I guess I'm going to put a little faith in the mayor's office that that's going to happen. But, you know, I just don't want to see us lose that million dollars that the City's got invested as well as HCW. I would think it would be to both party's interest to try to broker some kind of deal and get it done.

Councilwoman Brinkerhoff-Riley: So make the commitment to come back and seek our approval.

Council ERC Appointee Wheeler: I just wanted to say about the million bucks.

President Adams: I understand. Mr. Wheeler, I don't think anybody wants to lose two million dollars that's *(Inaudible)* but we can't seem to get a commitment that people are going to come tell us about the deal so that our percentage has doubled.

Chief of Staff Schaefer: President Adams, I thought I did make it clear. I mean, we will certainly come before Council and give you a presentation and let you know what we...if there is a modified deal and if there is a percentage change, which we don't know that, we're in negotiations. I mean we're trying to move the project forward so once we do have those details we'll communicate that to Council and...

Councilman O'Daniel: Can I ask you this? Why is...why can't a member of Council, President Adams, whomever, be part of that negotiation? If Randy Alsman's part of that...

Chief of Staff Schaefer: Sure. *(Inaudible)*

Councilman O'Daniel:...should *(Inaudible)*

Chief of Staff Schaefer: Councilman Adams can be a part of that.

Councilman O'Daniel: Nobody's asked us to do that.

Chief of Staff Schaefer: Well, frank...oh, okay. Sure.

Councilman O'Daniel: I mean I...and look...

Chief of Staff Schaefer: Well our developer...okay, yes. We will brief Councilman Adams and we will loop him in.

President Adams: And I won't come alone. I'll bring my Finance Chair with me.

Chief of Staff Schaefer: Okay.

President Adams: Okay, we have a motion on the floor. We have an amendment to table.

Councilman O'Daniel: Yeah, I guess point of order, I would ask the motion and second be amended and that to delay...that the motion's been made but agreed to table this until the next meeting.

Councilwoman Robinson: *(Inaudible)*

Speaking Simultaneously

Councilwoman Brinkerhoff-Riley: *(Inaudible)* Go ahead.

Councilwoman Robinson: I'll withdraw my second.

Councilwoman Brinkerhoff-Riley: I'll withdraw my motion...

Councilman O'Daniel: Okay.

Councilwoman Brinkerhoff-Riley:....because it sounds like Council is going to be at the table when any deal potentially is made and we'll know, first hand, what we need to do, if anything.

President Adams: Okay.

Councilman McGinn: Can I add one thing to that? I mean I appreciate you doing the motions, withdrawing; I really do, thanks but here's...from...I used to represent some business people, not many, but secrecy of negotiations is extremely important. I'm willing to trust you guys; I have for five years. I mean should not this be some sort of a non-disclosure or secret of what you hear that we don't even know about it until such time as it comes about? I mean, is that...that...I would think will make everybody more comfortable.

Councilman O'Daniel: I think generally...generally non-disclosure deals with the numbers itself but...

Councilman McGinn: Well I mean I really think it should be because just, you know, for the Administration to open it up, which makes us happy, I don't want that hurt the deal.

President Adams: We can make them very unhappy.

Councilman McGinn: Oh I know but I'm just...I mean would you as Council representatives and us...I mean I'm just assuming they want it from my background. Would you be willing to do a non-disclosure or secrecy on it? I mean, you know, we don't need status of negotiations in the newspaper or on television before this deal's closed.

City Council Attorney Danks: If I...if I may, I'm just concerned of the position it'll put the two of you gentlemen in. Your obligation is to Council and you've got this non-disclosure. But here's my question; maybe Mr. Schaefer can answer this. I don't...it doesn't sound...it's not the traditional sense of negotiations and I understand that when we're talking about pricing and different things and that absolutely has to remain confidential, but it sounds to me that the nature of these discussions is more along the lines of where can we make cuts and that type...I mean the...we're not negotiating the City's contribution I presume. I mean it's there, the 20 million. They trying to get the cost down and how are they going to do that? And, you know, so I don't know. Typically, I think it's a good idea to sign the non-disclosures. It gives the other people, the Administration, the confidence that it's going to stay in the room. But on the other hand, if they're not going to commit to coming before the Council with substantial changes to the project before they use the City's money of 20 thousand that you all approved, and if you have this non-disclosure, I'd like to look at the non-disclosure. You're going to have to disclose...if you have a problem with what's going on I mean you're going to have to have some ability to disclose to members of the Council and address it at a Council meeting, otherwise...

Councilman O'Daniel: Yeah, and I mean we sign non-disclosures with exit-conferences and...

Unidentified Speaker: Sure.

Councilman O'Daniel:...of course the Water Department signed it with regards to their negotiations with EPA and the like and I suspect that, you know, we can do that without...

President Adams: Therein lies the rub. If we are on a discloser...under a disclosure and we find that City, the taxpayers' commitment's doubled...

City Council Attorney Danks: Or something that you find objectionable that you can't disclose it to your fellow Councilmembers..

Councilman O'Daniel: Yeah, and...

City Council Attorney Danks: They're saying that we're not come and ask for permission again...

Councilman O'Daniel: Right.

Councilman O'Daniel: "We're just going to use the money", I mean, I don't know that that solves your problem.

President Adams: 'Cause my *(Inaudible)*...

Speaking Simultaneously

Councilman O'Daniel: We could always...at that point we could always move to revoke the 20 million. That would be the way to do it.

Councilwoman Brinkerhoff-Riley: Well I would hope that while you're at the table...

Speaking Simultaneously

City Council Attorney Danks: Not being able to expose the reason.

Councilman O'Daniel: Well, you know sometimes what you don't say speaks volumes.

President Adams: Okay.

City Council Attorney Danks: True.

President Adams: It's withdrawn. Is there any other comment about anything. Other cut things. You've already...time-out Randy, you've already talked.

Randy Jones: *(Off Mic)* I'm allowed to have one more comment *(Inaudible)*.

President Adams: I don't think so.

Randy Jones: *(Off Mic)* *(Inaudible)*.

President Adams: I don't think so.

Randy Jones: *(Off Mic)* *(Inaudible)* Why not just make it 25% of the costs and you solve all the problems. You don't have to pull the bond, you don't have to do anything...

President Adams: Thank you, thank you very much Randy.

Randy Jones: *(Off Mic)* *(Inaudible)*.

President Adams: Thank you very much. I appreciate that. It's not a bad suggestion.

Kelley?

DMD Executive Director Coures: Mr. President, I just wanted to...and I wasn't going to comment about the hotel. Stephanie, I didn't mean to get in your way. I couldn't let the veteran comment stand...

President Adams: Okay.

DMD Executive Director Coures:...because I just hired a man in my department that spent 10 years in Afghanistan and Iraq in military intelligence so I'm very proud to have hired an American veteran in DMD. I just couldn't let that stand.

Councilman O'Daniel: Thanks.

President Adams: Okay, great.

Any other comment about any subject at this juncture?

Steve Davis: *(Off Mic)* I just have a quick comment.

President Adams: Okay.

Steve Davis: *(Inaudible)* on Councilman Adams. I agree 100% that the IU Medical Center should be the main focus but we've already got a commitment with the 20 million dollar bond. The thing that's disturbing to me is we had the Mayor's Chief of Staff stand up here and we had the commitment from the hotel investors; we knew what that was. We had the commitment from the City of Evansville taxpayers; we knew what that was and he stood right here and said, "We *hoped* that Old National would come back with what we needed". *Hoped*. Now I'm not the sharpest tool in the shed, I'd say at this juncture, but a business plan never really relies on hopes that somebody's plan might come together at the end after...this deal has been killed, tabled, shelved, whatever you want to say, for less than 10% of the total cost so over 90% of the funding is there between private investors and the City of Evansville. Now they're six million dollars short. Is that the...? Nobody really knows how short they are 'cause we can't get a good answer on that but if less than 10% of the total cost of this project can't be funded, can't even be discussed without people saying we need to...more money investment, percentagewise, which I agree with Stephanie wholeheartedly on that. We need...and the rest of Council.

The subsidy needs to match, at the end of the day, what it was supposed to match at the beginning of the day. I don't think it's fair to the taxpayers, or Council, to have a bait and switch, which is what has happened here. They baited you with these false

numbers and then they switched it a year later and now we've already committed 20 million dollars. And I understand Mr. McGinn's hoping that you don't rescind it. It would spook the fish. I understand that, but at the same time, as a taxpayer, and I think everybody in this room, nobody likes to be lied to and it seems as though there's been some lies told at the beginning, the end, in the middle, and Council's the only solid thing here. The 20 million dollars that we are going to foot, as taxpayers, is the only sure thing and I think that is pretty disingenuous on the Mayor and his Chief of Staff to come before you and refuse to make any commitment to come back to this body, which I would love to have seen 'em do that. If they are going to make a substantial change in any of costs or the subsidy is going to gain more percentage and the taxpayers are going to foot more of the bill, I think it's only fair that the Mayor, his Chief of Staff come before this body and ask you and get permission to spend our money.

So I agree with a lot of points here tonight. If we get the IU Medical Center, the hotel will build itself. I would love to see the funds go towards infrastructure and getting IU here but they've already been committed. But before we solidify that commitment, I'd like to see the Mayor and the Chief of Staff...if you would come up here and just tell the taxpayers of Evansville, "We've taken your 20 million dollars. Before we spend it we will commit to coming to back and telling you how we've changed the way we are going to spend it", 'cause I think that's only fair to everybody that lives in the City of Evansville.

President Adams: Okay.

Steve Davis: Thank you.

President Adams: Thank you very much. I will make an addendum, however, to the comment that we were never given a business plan.

Councilman Friend: And that's a fa...yeah. That...

President Adams: Yeah. My friend, my colleague John Friend and I were interviewing with HCW; asked them what the business plan was and they said, "We are the business plan".

That...that's enough, that's enough.

Steve Davis: I will say I do remember during the negotiations of this that the financing on the private sector and Old National Bank was supposed to be solid. I think that was the actual quote, "Solid".

President Adams: Okay.

Steve Davis: Well, all right.

President Adams: Thank you sir, I appreciate it.

Okay. Any other comments by anybody else tonight? Great. Any other subjects you'd like to talk about tonight, right now?

COMMITTEE REPORTS FOR JANUARY 26 MEETING OF THE COMMON COUNCIL

A.S.D. COMMITTEE:

CHAIRMAN BRINKERHOFF-RILEY

We have nothing scheduled at this time, Mr. President.

FINANCE COMMITTEE:

CHAIRMAN O'DANIEL

Re: **Resolution C-2015-1**

Time: 5:20 p.m.

Notify: Chris Kinnett, GAGE

Confirming the Declaration of an Economic Revitalization Area for Property Tax Phase-In for the Construction of Real Property and the Acquisition and Installation of New Equipment (Sigma Packaging, LLC - 3001 Maxx Road and 2000 Lynch Road)

Re: **Resolution C-2015-2**

Time: 5:25 p.m.

Notify: Chris Kinnett, GAGE

In Support of Economic Development Incentives Offered to Sigma Packaging LLC by the City of Evansville to Expand Operations at 3001 Maxx Road and 2000 Lynch Road

PUBLIC WORKS COMMITTEE:

CHAIRMAN LINDSEY

No meetings scheduled at this time, Mr. President.

ADJOURNMENT

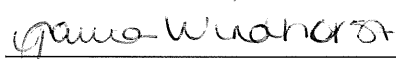
President Adams: I'll entertain a...

Councilman O'Daniel: Motion to adjourn.

Councilwoman Robinson: Second.

President Adams: All in favor? God bless you. Be careful driving home.

Meeting adjourned at 7:15 p.m.



Laura Windhorst, City Clerk



H. Dan Adams, President